

JAVA Administrative Regulation 03-0109-05



The following procedures shall be utilized in authorizing changes to JAVA approved contracts:

I. DEFINITIONS

- A. Approved Contracts shall include any previously approved written contract for site analysis (including ESA), planning, engineering, design, or construction related to any Project components that have been authorized by approval of sufficient funds in any JAVA approved budget .
- B. Estimated compensation shall mean the total amount to be paid for a proposed change. A proposed change shall not be split up into phases to reduce the estimated compensation.
- C. Project Manager shall mean the Antelope Valley Project Manager, or in his or her absence or unavailability the City Engineer.
- D. Chair shall mean the chair of the Joint Antelope Valley Authority, or in his or her absence or unavailability the Treasurer of the Joint Antelope Valley Authority.
- E. Project Sponsor shall mean the City of Lincoln for Transportation and Revitalization Components and the Lower Platte South Natural Resources District for Waterway components of the Amended Draft Single Plan.
- F. JAVA shall mean the Joint Antelope Valley Authority, a joint administrative entity created under the Nebraska Interlocal Cooperation Act (Neb. Rev. Stat. § 13-801 et. seq.) by agreement of April 15, 2000 as amended
- G. University shall mean the Board of Regents of the University of Nebraska, a public body corporate and governing body of the University of Nebraska.
- H. City shall mean the City of Lincoln, Nebraska, a municipal corporation in the state of Nebraska.
- I. LPSNRD shall mean the Lower Platte South Natural Resources District, a political Subdivision of the State of Nebraska.
- J. Project shall mean the projects and components thereof implemented under the JAVA Interlocal Agreement including the Phase One Priority Projects of the Antelope Valley Amended Draft Single Package

JAVA Administrative Regulation 03-0109-05

II. CHANGE ORDER POLICIES AND PROCEDURES

- A. The Project Manager shall determine the estimated compensation for the proposed change based on the estimates or requested amounts of the contractor. The Project Manager may negotiate, refine or request additional information regarding the need for the proposed change, the estimates or requested amount of compensation. The Contractor shall submit written support or clarification for any requested changes.
- B. Written Change Orders for changes to Approved Contracts shall be required whenever there is a change in the scope of work including, but not limited to (1) any adjustment (increase or decrease) of a unit price specified in the contract; (2) any substantial revision in the limits or scope of the project; and (3) any significant change in the quantities of work, resulting in an increase or decrease in the total contract amount or adjustment (increase or decrease) in the time allowed for completion of the work.
- C. Not more than \$50,000— The Project Manager is hereby authorized to negotiate for and approve change orders which individually or together with previous change orders to date has the cumulative effect of increasing the contract price by not more than \$50,000.
- D. Over \$50,000 – Upon the recommendation of the Project Manager, the Chair is hereby authorized to negotiate for and approve change orders which individually or together with previous change orders to date has the cumulative effect of increasing the contract price by more than \$50,000

III. EXEMPTIONS AND ADMINISTRATION

- A. The procedure established above for the approval of change orders does not apply:
 - 1. In any case where the Chair determines that the best interests of JAVA warrant immediate approval of a change order, provided that any contract exceeding \$50,000 is subject to ratification by the JAVA board.
 - 2. Notwithstanding any exemption, the determination of compensation to be paid for such services shall be negotiated by the Project Manager.
- B. Nothing in this administrative regulation shall be interpreted to authorize change orders for the purchase of goods, materials, or other items that are required to be competitively bid by applicable law or regulation.
- C. In the event of a conflict between the procedures herein and applicable federal or state requirements for the approval of change orders, the applicable state or federal regulations shall apply.